

Union Calendar No. 91

109TH CONGRESS
1ST SESSION

H. R. 2364

[Report No. 109–151]

To establish a Science and Technology Scholarship Program to award scholarships to recruit and prepare students for careers in the National Weather Service and in National Oceanic and Atmospheric Administration marine research, atmospheric research, and satellite programs.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2005

Mr. ROHRABACHER introduced the following bill; which was referred to the Committee on Science

JUNE 23, 2005

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 16, 2005]

A BILL

To establish a Science and Technology Scholarship Program to award scholarships to recruit and prepare students for careers in the National Weather Service and in National Oceanic and Atmospheric Administration marine research, atmospheric research, and satellite programs.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SCIENCE AND TECHNOLOGY SCHOLARSHIP**
4 **PROGRAM.**

5 *(a) ESTABLISHMENT OF PROGRAM.—*

6 *(1) IN GENERAL.—The Administrator is author-*
7 *ized to establish a Science and Technology Scholar-*
8 *ship Program to award scholarships to individuals*
9 *that is designed to recruit and prepare students for*
10 *careers in the National Weather Service and in Ad-*
11 *ministration marine research, atmospheric research,*
12 *and satellite programs.*

13 *(2) COMPETITIVE PROCESS.—Individuals shall*
14 *be selected to receive scholarships under this section*
15 *through a competitive process primarily on the basis*
16 *of academic merit, with consideration given to finan-*
17 *cial need and the goal of promoting the participation*
18 *of individuals identified in section 33 or 34 of the*
19 *Science and Engineering Equal Opportunities Act*
20 *(42 U.S.C. 1885a or 1885b), including those from*
21 *Historically Black Colleges and Universities and in-*
22 *stitutions serving a large proportion of Hispanics,*
23 *Native Americans, Asian-Pacific Americans, or other*
24 *underrepresented populations.*

1 (3) *SERVICE AGREEMENTS.*—To carry out the
2 scholarship program, the Administrator shall enter
3 into contractual agreements with individuals selected
4 under paragraph (2) under which the individuals
5 agree to serve as full-time employees of the Adminis-
6 tration, for the period described in subsection (f)(1),
7 in positions needed by the Administration in fields
8 described in paragraph (1) and for which the individ-
9 uals are qualified, in exchange for receiving a scholar-
10 ship.

11 (b) *SCHOLARSHIP ELIGIBILITY.*—In order to be eligi-
12 ble to participate in the scholarship program, an individual
13 shall—

14 (1) be enrolled or accepted for enrollment as a
15 full-time student at an institution of higher education
16 in an academic program or field of study described
17 in the list made available under subsection (d);

18 (2) be a United States citizen or permanent resi-
19 dent; and

20 (3) at the time of the initial scholarship award,
21 not be a Federal employee as defined in section 2105
22 of title 5 of the United States Code.

23 (c) *APPLICATION REQUIRED.*—An individual seeking
24 a scholarship under this section shall submit an application
25 to the Administrator at such time, in such manner, and

1 *containing such information, agreements, or assurances as*
2 *the Administrator may require to carry out this section.*

3 *(d) ELIGIBLE ACADEMIC PROGRAMS.—The Adminis-*
4 *trator shall make publicly available a list of academic pro-*
5 *grams and fields of study for which scholarships may be*
6 *utilized in fields described in subsection (a)(1), and shall*
7 *update the list as necessary.*

8 *(e) SCHOLARSHIP REQUIREMENT.—*

9 *(1) IN GENERAL.—The Administrator may pro-*
10 *vide a scholarship under the scholarship program for*
11 *an academic year if the individual applying for the*
12 *scholarship has submitted to the Administrator, as*
13 *part of the application required under subsection (c),*
14 *a proposed academic program leading to a degree in*
15 *a program or field of study on the list made available*
16 *under subsection (d).*

17 *(2) DURATION OF ELIGIBILITY.—An individual*
18 *may not receive a scholarship under this section for*
19 *more than 4 academic years, unless the Administrator*
20 *grants a waiver.*

21 *(3) SCHOLARSHIP AMOUNT.—The dollar amount*
22 *of a scholarship under this section for an academic*
23 *year shall be determined under regulations issued by*
24 *the Administrator, but shall in no case exceed the cost*
25 *of attendance.*

1 (4) *AUTHORIZED USES.*—A scholarship provided
 2 under this section may be expended for tuition, fees,
 3 and other authorized expenses as established by the
 4 Administrator by regulation.

5 (5) *CONTRACTS REGARDING DIRECT PAYMENTS*
 6 *TO INSTITUTIONS.*—The Administrator may enter
 7 into a contractual agreement with an institution of
 8 higher education under which the amounts provided
 9 for a scholarship under this section for tuition, fees,
 10 and other authorized expenses are paid directly to the
 11 institution with respect to which the scholarship is
 12 provided.

13 (f) *PERIOD OF OBLIGATED SERVICE.*—

14 (1) *DURATION OF SERVICE.*—Except as provided
 15 in subsection (h)(2), the period of service for which an
 16 individual shall be obligated to serve as an employee
 17 of the Administration shall be 24 months for each
 18 academic year for which a scholarship under this sec-
 19 tion is provided.

20 (2) *SCHEDULE FOR SERVICE.*—

21 (A) *IN GENERAL.*—Except as provided in
 22 subparagraph (B), obligated service under para-
 23 graph (1) shall begin not later than 60 days
 24 after the individual obtains the educational de-
 25 gree for which the scholarship was provided.

1 (B) *DEFERRAL.*—*The Administrator may*
2 *defer the obligation of an individual to provide*
3 *a period of service under paragraph (1) if the*
4 *Administrator determines that such a deferral is*
5 *appropriate. The Administrator shall prescribe*
6 *the terms and conditions under which a service*
7 *obligation may be deferred through regulation.*

8 (g) *PENALTIES FOR BREACH OF SCHOLARSHIP*
9 *AGREEMENT.*—

10 (1) *FAILURE TO COMPLETE ACADEMIC TRAIN-*
11 *ING.*—*Scholarship recipients who fail to maintain a*
12 *high level of academic standing, as defined by the Ad-*
13 *ministrator by regulation, who are dismissed from*
14 *their educational institutions for disciplinary rea-*
15 *sons, or who voluntarily terminate academic training*
16 *before graduation from the educational program for*
17 *which the scholarship was awarded, shall be in breach*
18 *of their contractual agreement and, in lieu of any*
19 *service obligation arising under such agreement, shall*
20 *be liable to the United States for repayment not later*
21 *than 1 year after the date of default of all scholarship*
22 *funds paid to them and to the institution of higher*
23 *education on their behalf under the agreement, except*
24 *as provided in subsection (h)(2). The repayment pe-*

1 riod may be extended by the Administrator when de-
 2 termined to be necessary, as established by regulation.

3 (2) *FAILURE TO BEGIN OR COMPLETE THE SERV-*
 4 *ICE OBLIGATION OR MEET THE TERMS AND CONDI-*
 5 *TIONS OF DEFERMENT.*—A scholarship recipient who,
 6 for any reason, fails to begin or complete a service ob-
 7 ligation under this section after completion of aca-
 8 demic training, or fails to comply with the terms and
 9 conditions of deferment established by the Adminis-
 10 trator pursuant to subsection (f)(2)(B), shall be in
 11 breach of the contractual agreement. When a recipient
 12 breaches an agreement for the reasons stated in the
 13 preceding sentence, the recipient shall be liable to the
 14 United States for an amount equal to—

15 (A) the total amount of scholarships re-
 16 ceived by such individual under this section;
 17 plus

18 (B) the interest on the amounts of such
 19 awards which would be payable if at the time
 20 the awards were received they were loans bearing
 21 interest at the maximum legal prevailing rate,
 22 as determined by the Treasurer of the United
 23 States.

24 (h) *WAIVER OR SUSPENSION OF OBLIGATION.*—

1 (1) *DEATH OF INDIVIDUAL.*—Any obligation of
2 an individual incurred under the scholarship pro-
3 gram (or a contractual agreement thereunder) for
4 service or payment shall be canceled upon the death
5 of the individual.

6 (2) *IMPOSSIBILITY OR EXTREME HARDSHIP.*—
7 The Administrator shall by regulation provide for the
8 partial or total waiver or suspension of any obliga-
9 tion of service or payment incurred by an individual
10 under the scholarship program (or a contractual
11 agreement thereunder) whenever compliance by the
12 individual is impossible or would involve extreme
13 hardship to the individual, or if enforcement of such
14 obligation with respect to the individual would be
15 contrary to the best interests of the Government.

16 (i) *DEFINITIONS.*—In this Act the following definitions
17 apply:

18 (1) *ADMINISTRATION.*—The term “Administra-
19 tion” means the National Oceanic and Atmospheric
20 Administration.

21 (2) *ADMINISTRATOR.*—The term “Adminis-
22 trator” means the Administrator of the National Oce-
23 anic and Atmospheric Administration.

24 (3) *COST OF ATTENDANCE.*—The term “cost of
25 attendance” has the meaning given that term in sec-

1 *tion 472 of the Higher Education Act of 1965 (20*
2 *U.S.C. 1087l).*

3 (4) *INSTITUTION OF HIGHER EDUCATION.—The*
4 *term “institution of higher education” has the mean-*
5 *ing given that term in section 101(a) of the Higher*
6 *Education Act of 1965; and*

7 (5) *SCHOLARSHIP PROGRAM.—The term “schol-*
8 *arship program” means the Science and Technology*
9 *Scholarship Program established under this section.*

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